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7 United States District Court

8 District of Nevada

9
10 United States Of America,
11 Plaintiff,
12 v.
13 Clyde Edward Austin,
14 Defendant.

Case No. 2:22-CR-00126

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(Third Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, between the United States of America,
17 by and through its attorney, JASON M. FRIERSON, United States Attorney, through DANIEL
18 R. SCHIESS, Assistant United States Attorney; and Defendant CLYDE EDWARD AUSTIN,
19 by and through his counsel, SUNETHRA MURALIDHARA, ESQUIRE, Wright Marsh &
20 Levy, that the sentencing hearing currently scheduled for March 20, 2023, at 10:00 a.m. be
21 vacated and set to a date and time convenient to this Court, but no sooner than thirty (30) days
22 from the current sentencing date.

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24 This stipulation is entered into for the following reasons:
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1. The parties needs additional time to prepare for the sentencing hearing.
2. AUSA Dan Schiess has two up-coming trials he is simultaneously preparing for.

3. The parties agree to the continuance. Mr. Austin is on pretrial release and agrees to this requested continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

6. This is the third request for a continuance of the sentencing hearing.

Dated this 1st day of March, 2023.

Respectfully submitted:

WRIGHT MARSH & LEVY

JASON M. FRIERSON
United States Attorney

By /s/ Sunethra Muralidhara
SUNETHRA MURALIDHARA
Attorney for Defendant Austin

By /s/ Daniel Schiess
DANIEL SCHIESS
Assistant United States Attorney

United States District Court

District of Nevada

United States Of America,

Plaintiff,

V.

Clyde Edward Austin,

Defendant.

Case No. 2:22-CR-00126

ORDER

Based on the stipulation of the parties and for good cause appearing, the sentencing hearing in this matter is hereby continued. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy sentencing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently scheduled for March 20, 2023, at 10:00 a.m., be vacated and continued to **April 19, 2023, at 10:30 a.m.**

Dated: March 3, 2023

JAMES C. MAHAN
JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE